



# City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor  
Floyd Petersen, Mayor pro tempore  
Robert Christman, Councilmember  
Stan Brauer, Councilmember  
Robert Ziprick, Councilmember

COUNCIL AGENDA: January 11, 2005  
TO: City Council  
VIA: Dennis R. Halloway, City Manager  
FROM: Pamela Byrnes-O'Camb, City Clerk  
SUBJECT: Minutes of November 9 and 16; December 7 and 14, 2004

## **RECOMMENDATION**

It is recommended that the City Council approve the Minutes of November 9 and 16 as well as December 7 and 14, 2004.

City of Loma Linda

City Council Minutes

Regular Meeting of November 9, 2004

A regular meeting of the City Council was called to order by Mayor Hansberger at 7:03 p.m., Tuesday, November 9, 2004, in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:

Mayor Karen Gaio Hansberger  
Mayor pro tempore Petersen  
Robert H. Christman  
Robert Ziprick

Councilman Absent:

Stan Brauer

Others Present:

City Manager Dennis Halloway  
City Attorney Richard E. Holdaway

Councilman Christman led the invocation and Pledge of Allegiance. No items were added or deleted. No conflicts of interest were noted, and no public participation comments were offered.

**Scheduled and Related Items**

CC-2004-135

CRA-2004-060 - Joint meeting of the City Council and Redevelopment Agency regarding presentation of the June 30, 2004 Audit Reports

The Redevelopment Agency was called to order. Vice-Chairman Brauer was absent.

Mayor Hansberger stated that prior to the public meeting, she and Councilman Christman met as the Audit Committee with Don Parker of the auditing firm of Lance, Soll & Lunghard as well as the City Manager and Finance Director to review the audit report. She complimented staff in controlling costs and for their diligence in providing records to the auditors so that the audit could be completed at an early date.

Finance Director DeAnda introduced Don Parker, who presented the GASB 34 Edition of the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2004, summarizing as follows:

- 1) The City obtained an unqualified clean opinion on its financial statements, in that the statements fairly present the results of operations in accordance with generally accepted accounting principals, and the operations, from an internal control standpoint, were controlled and the controls functioned.
- 2) Operations were reviewed to determine if there were any major internal control weaknesses, and no major weaknesses were found. Minor items were referred to the Finance Department for corrective action for which his firm conducts a follow up.
- 3) The City's General Fund pertains to unrestricted revenue accumulated to pay general operations of the City. It is the only fund in the City that is generally unrestricted and used for public services.
- 4) The presentation covered three years, 2002 through 2004 relating to cash and investments, assets and liabilities, and equity.
- 5) Between 2003 and 2004, total cash increased by \$257,000; total increases were consistent and overall change between the years relating to fund equity amounted to \$5,000.
- 6) The City's General Fund currently had \$485,000 in reserve, which was committed to purchase orders and other issues pending payment; the remaining portion of \$2.7 million was available for the budgeting cycle of 2004-2005.
- 7) The State took money from cities and so the revenue and expenditures were more closely aligned than in previous years. It was more difficult for cities to obtain additional revenue sources and so cities ensured that their budgets for expenditures were very close to their projected revenue.
- 8) Proposition 1A, approved by the voters in November, prohibits the State from taking money from the cities.
- 9) Fund equity was consistent during the past two years - \$3.289 million to \$2.384 million.
- 10) The Redevelopment Agency incurred more change than in previous years. In 2003 all governmental entities were mandated to implement a pronouncement called GASB 34 (Governmental Accounting Standards Board) and adopt a new reporting format. In that process, substantial adjustments to recordkeeping were necessary.
- 11) The reporting for 2004 was in full conformance to GASB 34.

12) Cash decreased between 2003 and 2004 by \$1.3 million; however at present the balance was \$7.9 million. He noted that cash is declared at a specific point in time and is subject to change, based upon payments due and incoming revenue.

13) The total change of assets and liabilities during that period went from \$909,000 to \$1.6 million, so there was an increase in equity of \$714,000.

14) Most of the changes were due to GASB 34 or the bonds issued by the Agency, so there were large amounts of revenue last year when bond proceeds were received and large amounts of expenditures when previous bonds were retired.

15) The State also took funds from the Agency for the Educational Revenue Augmentation Fund (ERAF), to pay State obligations to the schools. That taking was expected to continue for a number of years.

16) Redevelopment Agencies function in an indebtedness situation. In order for redevelopment agencies to obtain their property tax, they have to be in debt.

17) The Financial Statements were of award quality and would be submitted for the award programs in California.

Councilman Christman also complimented the Finance Staff on receiving a clean opinion.

**Motion by Christman, seconded by Ziprick and carried to receive the fiscal year 2003-2004 audit report. Brauer absent.**

The Agency recessed to allow completion of the City Council agenda.

CC-2004-136 – Public Hearing – Council Bill #R-2004-52 – Ordering Annexation No. 64 to Landscape Maintenance District No. 1 for the levy and collection of assessments beginning fiscal year 2004-2005

The public hearing was opened and Bryan Miller of MuniFinancial presented the report, stating that Tract 16382 was located at Newport Avenue and Barton Road. The landscaping would be maintained by the HOA at a cost to each property owner; however, should the HOA fail or fail to maintain the landscaping, the City would assume maintenance and the cost would then appear on the annual property tax bill.

City Council Members expressed concern that potential property owners be notified of the Landscape Maintenance District and potential annual cost.

In response to questions and concerns, City Attorney Holdaway stated that notification of property owners regarding the Landscape Maintenance District could be a condition of the CC&Rs.

The City Clerk then opened the ballot, noting that the property owner approved the proposed landscape maintenance assessment of \$1,247 per proposed parcel for a total of \$62,350 for fiscal year 2004-2005.

No other public testimony was offered and the public hearing was closed.

**Motion by Ziprick, seconded by Petersen and carried to adopt Council Bill #R-2004-52. Brauer absent.**

**Resolution No. 2360**

A Resolution of the City Council of the City of Loma Linda ordering the levy and collection of assessments for fiscal year 2004/2005 within Landscape Maintenance District No. 1, Annexation No. 64, Tract No. 16382, and confirming the Engineer's Report pursuant to the Landscape and Lighting Act of 1972

CC-2004-137 – Public Hearing – 9.1 acres at the southeast corner of Bryn Mawr Avenue and George Street

- a. Mitigated Negative Declaration and Mitigation Monitoring Program
- b. Council Bill #O-2004-9 (First Reading/Set Second Reading for December 14)  
Zone Change 03-03 to amend the Zoning Map from Agricultural (A-1) to Single-Family Residence (R-1)
- c. Tentative Tract Map 16650 to subdivide 9.1 acres into 36 residential lots
- d. Precise Plan of Design 04-07

The public hearing was opened and Assistant Planner Colunga presented the report into evidence, stating that:

- 1) The proposed development was consistent with the surrounding neighborhood.
- 2) A tract map was required to subdivide the property into 36 lots.
- 3) Lot sizes exceeded 7,200 square feet, with the average lot size being 8,737 square feet.
- 4) Density was four units per acre.
- 5) All lots were front-loaded.
- 6) Two cul-de-sac streets took access from George Street.
- 7) The architectural styles included Spanish, Monterey, Traditional, and Cottage.
- 8) Options provided up to four bedrooms with a story and a half model provided as well as two-story units.
- 9) Park Development Fees would be paid because the site was not large enough to provide a park or open space; however, the site was in close proximity to Leonard Bailey Park.

He then recommended approval, subject to the conditions contained in the Staff report.

Rich Nickum of Trimark Pacific Homes, thanked Staff for their guidance through the process and the Planning Commission for their helpfulness in finalizing some of the details of the homes. In response to questions, he stated that property owners would be notified regarding the Landscape Maintenance District; construction was anticipated to begin the summer of 2005. Exterior spaces were created so there were multiple living areas around the house. Areas between the houses were also usable. The second story was smaller than the first floor, eliminating the high vertical walls and allowing variation.

Director of Community Development Woldruff also responded to questions, stating that the subject property was a remnant parcel. The surrounding neighborhood was not a livable/walkable neighborhood, to make the project livable/walkable would make it entirely different from the surrounding neighborhood.

No other public testimony was offered and the public hearing was closed.

**Motion by Christman, seconded by Ziprick and carried to adopt the Mitigated Negative Declaration and Mitigation Monitoring Program. Brauer absent.**

**Motion by Petersen, seconded by Christman and carried to introduce Council Bill #O-2004-9 on First Reading and to set the Second Reading for December 14. Brauer absent.**

**Motion by Petersen, seconded by Ziprick and carried to approve Tentative Tract Map 16650 subject to the conditions contained in the Staff report. Brauer absent.**

**Motion by Petersen, seconded by Ziprick and carried to approve Precise Plan of Design 04-07 subject to the conditions contained in the Staff report. Brauer absent.**

**CC-2004-138 – Consent Calendar**

**Motion by Petersen, seconded by Ziprick and carried to approve the following items:**

The Demands Register dated October 31, 2004 with commercial demands totaling \$58,423.44.

The Demands Register dated November 9, 2004 with commercial demands totaling \$693,452.38 and payroll demands totaling \$176,386.76.

The Minutes of October 26 as presented.

The October 2004 Treasurer's Report for filing.

The October 2004 Department of Public Safety Stats Report for filing.

Street names for Tentative Tract Map 16730 located on the south side of Mission Road, east of Pepper Way and the SCE Easement.

Council Bill #R-2004-53.

**Resolution No. 2361**

A Resolution of the City Council of the City of Loma Linda, approving the Subdivision Agreement for Final Parcel Map 16120 (Spanos Corp.)

**CC-2004-139 – Change Order to contract with Corollo Engineering in the amount of \$35,500 to evaluate the City's existing water demands, groundwater supply, storage volume, future demand and operation of the distribution system relating to treatment and/or blending**

Councilman Christman requested an explanation, and Director of Public Works Thaipetr responded that the evaluation related to the agreement between the City and Lockheed Martin pertaining to water supply and treatment for arsenic, fluoride, and perchlorate. Corollo Engineering met with Lockheed Martin to review the treatment facility. The City would prefer to treat the wells rather than blend the water; thereby being able to utilize each well. The entire water system would be analyzed in a similar manner to the study done in 1998 by Montgomery Watson. All cost would be reimbursed by Lockheed Martin.

**Motion by Christman, seconded by Ziprick and carried to approve the Change Order as submitted. Brauer absent.**

**Old Business**

**CC-2004-140 – Report from Gardner Bros. relating to the Parkside Development Landscape Maintenance District issues**

Mayor Hansberger introduced the item, stating that Mr. Mark Gardner could not be present, but submitted a letter. The City Clerk then read the letter dated November 9 into the record. Those speaking were: Frank McCormick, 25454 Sonora Loop; Julie Tay, 10922 Cabrillo Loop; Giovanni Chavez, 25400 Durango Loop; and Charles Mier, 10958 Cabrillo Loop.

Their comments are summarized as follows:

1. The LMD fees were itemized on the County Tax Bill as a convenience to the property owner.
2. The amount could be amended or removed by way of a letter from the City to the County accompanied by a fee.
3. An itemized list of the expenses related to the LMD was requested.
4. If the homeowners assume the responsibility of maintenance, would the homeowners incur any LMD fee.
5. Certain areas of the landscaping lacked maintenance.
6. Some residents couldn't afford the annual assessment of \$422.
7. Homeowners Associations may include costs in addition to landscaping maintenance.

In response to questions, Director of Public Works Thaipetr indicated that the homeowners could establish a homeowners association; the association would then assume the responsibility for the maintenance of the landscaped areas, with the homeowners being charged for the cost of maintenance. The homeowners would still be required to pay the administration fee for the annual report. Councilman Christman added that if a homeowners association were to be formed, maintenance should encompass the alleyways as well so that the entire housing areas are maintained; the City would assume the responsibility if the landscape standards were not met or maintained. A unanimous approval of the homeowners would be required to establish an HOA.

The City Attorney elaborated that the LMD Assessment is a voted assessment that was agreed to by the owner of the entire parcel of property at the time it was developed, the Gardner Bros. As was done previously this evening, a ballot was opened that revealed that the then owner agreed to the assessment being placed against the property; that the amount of the assessment would be determined pursuant to the law and the Engineer's Report, and placed against the individual parcels at a future date. That took place prior to the homeowners' purchases; however, it is still binding upon the homeowners, as they are the successors to the original developer. The amount of the assessment could not have been known at that time because the Engineer's Report had not been done at that point due to the project not being completed. The homeowners were not assessed for a period of time and therefore did not contribute to the maintenance – the City absorbed the cost for that period of time. The amount is a City assessment, not a County tax; however, the County includes the assessment amount on the tax bill and enforces it as a courtesy to the City. It is an obligation to the City.

Extensive discussion ensued among the Council Members and those offering comments. It was suggested that subsequent to the meeting, an informal discussion relating to the concerns expressed occur and that a workshop be scheduled for sometime in the future relating to the First Time Homebuyer Program, Affordability Covenants, and Redevelopment Agency assistance.

**CC-2004-141 – General Plan Update Project – Proposed City Council Schedule for Public Hearings**

Mayor Hansberger introduced the item, stating that the various elements of the General Plan were scheduled so that each could be given adequate review rather than schedule all elements of the General Plan at one meeting. Subsequent to individual review, the General Plan could then be adopted.

Director of Community Development Woldruff stated that the Land Use Element, Conservation and Open Space Element, as well as the Public Health and Safety Element were deferred to January and February to allow the Planning Commission opportunity to conclude their public hearings on those three elements. The Planning Commission also requested a public meeting with the City Council relating to the Land Use Element.

Glenn Elssmann requested clarification relating to the schedule to discuss the South Hills and related land use.

Mrs. Woldruff suggested that the South Hills and Land Use Element be scheduled for the January 11 meeting and that the schedule be adjusted to conclude on March 8.

**By common consent, the schedule was approved as modified above.**

The meeting adjourned at 9:15 p.m. to 6:00 p.m., Tuesday, November 16 for the purpose of conducting a public hearing relating to Loma Linda connected Community Enterprise Rates for residential users and a study session relating to the General Plan Update Project.

Approved at the meeting of

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City Clerk

City of Loma Linda

PENDING CITY  
COUNCIL APPROVAL

City Council Minutes

Adjourned Regular Meeting of November 16, 2004

An adjourned regular meeting of the City Council was called to order by Mayor Hansberger at 6:06 p.m., Tuesday, November 16, 2004, in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present: Mayor Karen Gaio Hansberger  
Mayor pro tempore Petersen  
Robert H. Christman (Arrived 6:12 p.m.)  
Stan Brauer  
Robert Ziprick

Councilman Absent: None

Others Present: City Manager Dennis Halloway  
City Attorney Richard E. Holdaway

No items were added or deleted, nor were any public participation comments offered upon invitation of the Mayor.

**Scheduled and Related Items**

**CC-2004-142 – Public Hearing – Council Bill #R-2004-50 – Establishing the Rules, Regulations and Rates for the Loma Linda Connected Community Program**

The public hearing was opened. City Manager Halloway stated that the proposed resolution would set the rates for a high speed internet service pursuant to the Loma Linda Connected Community Program. He noted that the City had been providing service at no cost during the preliminary stages of the Program, and anticipated implementing a charge for the service effective January 1, 2005.

No other public testimony was offered and the public hearing was closed.

**Motion by Ziprick, seconded by Brauer and carried to adopt Council Bill #R-2004-50. Christman absent.**

**Resolution No. 2362**

A Resolution of the City Council of the City of Loma Linda, establishing the Rules, Regulations and Rate for the Loma Linda Connected Community Service

**CC-2004-143 – Workshop/Public Hearing – General Plan Update Project – Introduction to General Plan Elements (1.0); Economic Development Element (4.0); and Noise Element (7.0)**

The public hearing was opened. Director of Community Development Woldruff introduced Lloyd Zola of LSA Associates, who made the presentation.

[Councilman Chrisman arrived at 6:12 p.m.]

Mr. Zola stated that in relation to the introduction to the General Plan Elements, changes in the nature of the housing and prices within the housing market indicate that the current trend is that buyers are now interested in large houses on small lots, partly due to the mobility of society. He explained that in the past, family members lived in near proximity to each other and houses were passed from one generation to another. However, society, travel, locations of work places changed, thus changes also occurred in housing in response. Housing for very low and low income persons/families are priced out of the market, thus creating a need that will be addressed in the Housing Element.

No other public comments were offered on the Introduction to the General Plan Elements. City Attorney Holdaway stated that as each Draft General Plan Element was considered, modifications could be made. At the conclusion of the amendment process, the Draft would then be available for approval as modified.

**Motion by Ziprick, seconded by Christman and unanimously carried to approve the Draft Introduction to the General Plan Elements.**

The Economic Development Element was considered next. Mr. Zola explained that the Economic Development Element contained two components: job creation and the fiscal aspect of the community, income.

Mr. Zola went on to explain that Loma Linda was unique in that there was a surplus of jobs; therefore much of the workforce was imported. Positive aspects of economic development involved climate, the ability to attract new business to Loma Linda by building on the existing strengths of the community, and the availability of land for employment generating uses. He noted that SCAG (Southern California Association of Governments) projected that by the year 2020, there would be 40,000 jobs in the City.

Gil Prestwood of Lewis Operating Corporation, Upland, commented on traffic, stating that those who were driving the freeway or coming into town for employment were shopping elsewhere. There should be incentives to promote shopping in Loma Linda.

Jay Gallant, 26274 Cresthaven Court, also commented on traffic, stating that increase in population increased local traffic on an ongoing basis; however, those entering the community for employment or service only increased traffic at certain periods.

No other public comments were offered.

Discussion ensued concerning methods to assist economic growth, such as medical research and biotechnical industries, given the existing medical and learning institutions and the possible ability to partner with those institutions to generate revenue, in addition to working with the larger industrial developers.

**Motion by Petersen, seconded by Christman, and unanimously carried to approve the Draft Economic Development Element.**

Mr. Zola then presented the Noise Element, noting that the purpose of the Noise Element was to establish standards for noise compatible with land use. He stated that areas near the freeway were the noisiest; however, generally speaking, the community had few noise problems. He then recommended that the existing standards be approved for the Noise Element, and addressed the issue of trains and train whistles, stating that in new neighborhoods, recommendations relating to noise buffers, sound walls, etc., would be made. Grade separations and noise impacts could also be included.

No other public comments were offered.

**Motion by Petersen, seconded by Christman, and unanimously carried to approve the Draft Noise Element.**

**Reports of Councilmen**

Mayor pro tempore Petersen commented on the traffic congestion at Anderson and Stewart and the backup caused by those making left turns from Stewart Street onto Anderson Street. He suggested that consideration be given to a left-turn arrow for both east and west bound Stewart Street to alleviate the situation.

Mayor Hansberger noted that the schedule for review of the Draft General Plan is was on Channel 3 as well as the City's Website, and that on December 7, the Housing Element and the Public Service and Facilities Element would be reviewed.

The meeting adjourned at 6:45 p.m. to 6:00 p.m., Tuesday, December 7.

Approved at the meeting of

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City Clerk



## City Council Minutes

Adjourned Regular Meeting of December 7, 2004

An adjourned regular meeting of the City Council was called to order by Mayor Hansberger at 6:09 p.m., Tuesday, December 7, 2004, in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Karen Gaio Hansberger Mayor pro tempore Petersen Robert H. Christman Stan Brauer Robert Ziprick
Councilman Absent:	None
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

No items were added or deleted.

**Oral Reports/Public Participation**

Jay Gallant, 26274 Cresthaven Court, stated that in his opinion, the General Plan was geared toward high density and heavily laden for development, and suggested that due to the outflow of people from California because of the high cost of housing, at some point there would be a balance in the population between those leaving and those entering the state. Even though the General Plan must conform to state requirements, the results, particularly as to growth, may not be what Loma Linda residents would like.

**Scheduled Items**

**CC-2004-144 – Workshop/Public Hearing – General Plan Update Project – Housing Element (5.0), Transportation and Circulation Element (6.0) and Public Services and Facilities Element (8.0)**

The public hearing was opened and Director of Community Development Woldruff introduced Lloyd Zola of LSA Associates, General Plan Consultant.

Mr. Zola began by stating that the state requirements for the Housing Element were different from the rules relating to the other elements of the General Plan in that with the other elements, the City may address issues to fit the community. However, with the Housing Element, state law requires that while local conditions and preference must be dealt with, the local agency must also deal with accepting its fair share of a regional need, which is different from the rest of the General Plan.

He went on to say that while the General Plan is long term, 20 years into the future, the Housing Element is for a term of 5 years; the state does not actively review the General Plan, as it has no approval authority as to whether the General Plan is consistent or not consistent with the law except for the Housing Element. Under the law, the Housing Element is reviewed by the State Department of Housing and Community Development, which certifies whether or not the Housing Element is in compliance with State Law. There were provisions for adopting the Housing Element with no regard to HCD in that the local jurisdiction could make findings that the Housing Element was in compliance with the law, no matter what HCD stated; however, sources of funding may be affected. There is a presumption under the law of adequacy or inadequacy, depending upon HCD's certification.

He explained that when land use is reviewed, decision is made as to density, the amount of commercial, residential, and industrial uses appropriate for the community. In the Housing Element, the City is given five-year and seven-year growth projections by SCAG that are to be used for the basis of the Housing Element. Discretion in the Housing Element is limited, but not as to land use. A good faith judgment to accommodate housing for all economic segments of the community pursuant to the numbers provided by SCAG must be made.

Mr. Zola elaborated that housing prices have priced out many residents from buying houses throughout the State in that the average wage earner could not qualify to buy the average priced house without receiving down payment assistance. The Housing Element places the responsibility on local government to make housing affordable to all economic segments of the community. According to SCAG, for the period from July 1998 through the middle of 2005, Loma Linda was to provide 1,510 dwelling units, including very low, low, moderate income as well as above moderate income units.

The Housing Element was based upon the accommodation of that number and addresses the method to accomplish it. If the need under the Housing Element is compared to what the Land Use Element would allow, there is far more residential development permitted in the Land Use Element than is identified as "need" in the Housing Element; i.e., there is far more residential capacity in the Land Use Element than is needed to meet the City's housing needs. In the comparison of housing and land use, determination as to how to meet the housing needs through 2005 is needed. In making that determination, the Land Use Element could be modified so that the residential land use is built out sooner than 2020 or 2025. In other words, don't dwell on the totality of land uses permitted in the Land Use Element, but rather look at the short-term housing program as to how to accommodate 1,510 units through the end of 2005, understanding that when the Housing Element was written, one-third of that number was already accomplished, in that by mid-2002, 488 units that would meet housing needs were already approved and building permits issued. In addition, permits have been issued since that period of time.

In response to questions, Mr. Zola stated that through special legislation, three California cities were allowed to satisfy their housing needs by placing housing in other cities: the City of Industry, Vernon, and Indian Wells. If a city's Housing Element is not certified by HCD, there are consequences, such as delay in receiving CDBG Program funds, as CDBG funding requires an adequate Housing Element. Another consequent could be litigation regarding the adequacy of the entire General Plan if any portion of the General Plan is not legally adequate.

He noted that on January 1, 2005, AB 2348 becomes effective as an amendment to Housing Law. AB 2348 memorializes the ways HCD has reviewed Housing Elements and states that if the housing inventory of a community does not provide adequate opportunities for housing for all economic segments of the community, the Housing Element must commit to rezoning land to provide an appropriate inventory. Guidelines as to "appropriate inventory" are also provided. Twenty units per acre with no more than half of that inventory being proposed as mixed use would be required of an urban community such as Loma Linda.

Mr. Zola explained that mixed use can be vertical with commercial on the ground floor and residential above, or horizontal mixed use which is side-by-side. The law limited mixed use only if construction or development of the commercial portion was a pre-requisite for the residential portion.

In response to questions, Mr. Zola stated that "affordability" was based on a county-wide median income, which was considered average income. Very low income was defined as 50 percent or less of county median income; a low income household as between 50 percent and 80 percent of the county median income and moderate income as being between 80 percent and 120 percent of the county median income. The Housing Element assures an adequate inventory of housing so that when the Redevelopment Agency's set-aside money needs to be spent, there is a place to spend it and there is land available to accommodate new households of very low, low, moderate, and upper income households. Another aspect of the Housing Element concerns programs to remove constraints on the provision of housing, such as the use of set-aside funds through the Redevelopment Agency to stimulate the provision of new housing on the sites identified in the Housing Element and to meet the housing needs identified in the Housing Element. One of the presumptions used by HCD is that development at 20 units per acre at high densities will be affordable.

Mr. Zola noted that the Housing Element as presented was general; how the Housing Element related to specific sites would be addressed in the Land Use Element. The Housing Element identified much of what the City and Redevelopment Agency was already doing.

The City Attorney, in response to questions, stated that a moratorium on housing could be imposed for a period of time while zoning, re-organization, and plans were being reviewed. Property owners had the right to develop their land pursuant to the General Plan, zoning and other guidelines.

Extensive discussion ensued.

Those offering comments were: Kathy Glendrange, 26551 Beaumont; Jonathan Zirkle, 24247 Barton Road; Georgia Hodgkin, 24360 Lawton Avenue; Jay Gallant, 26274 Cresthaven Court; and Mr. Stevens.

A summary of comments offered is as follows:

1. The various elements of the General Plan were not internally consistent.
2. The University Village and Orchard Park developments exceeded the number of units required within the SCAG planning period.
3. Sixty-three percent of Loma Linda was open space, agricultural, or undeveloped land.
4. Under the Draft General Plan, the majority of the land would be re-designated for medium to high density development.
5. Planned Communities were not utilized for affordable housing.
6. The hills should be designated as low density.
7. Preserving a small town atmosphere and the hills should be a priority.
8. There is no penalty for non-compliance with SCAG requirements.
9. Because of the land inventory, many of the goals of the General Plan could be met.

10. Developers could obtain a 100 percent density bonus for building affordable housing.
11. The June Draft stated that 60 percent of the housing in the high density, mixed use areas would be very low income, which would exceed the SCAG numbers for the City.
12. Policy 2.3.2 and 2.3.3 of the Housing Element should be deleted, as they are designed to bring more development.
13. Existing good quality affordable housing should not be eliminated.
14. The proposed Evans Street connection to the I-10 Freeway is flawed in that it eliminates existing housing and doesn't provide for an on-ramp.
15. Campus Street would be a more suitable street to connect to the I-10 in that there is vacant land available for the connection.
16. Current developments are too crowded.
17. The General Plan allows too many homes on remaining land.
18. The vision of Loma Linda as an oasis is disappearing.
19. The current Draft provides a policy to limit the residential build out of Loma Linda to that which is needed to meet Housing Element objectives.
20. Master planned communities are not new.
21. The first General Plan meeting occurred in February 2000, and the City Council provided clear guidance at that time.

Discussion ensued pertaining to density bonuses, noting that state guidelines would be followed relating to the various housing types.

Mr. Zola suggested that in considering the Housing Element, the City Council provide direction that all reference to the build out of the General Plan be deleted until action was taken on land use. At that time Housing Element Tables would be provided, based upon action taken. He also recommended that Policy 2.3.2 and 2.3.3, which related to above-moderate housing, be modified to refer only to meeting with developers that targeted specific needs groups such as low-income housing, housing for handicapped, senior housing. Density was to be addressed in the Land Use Element and not the Housing Element. He also suggested that the density style of development, style of community, as well as land use inventory be considered at the time the Land Use Element was reviewed. Over the 20-year period the SCAG numbers would change and therefore the development of in-fill lots and the establishment of upper end housing within the southern portion of the City should be considered because land use encompassed more than meeting the requirements of the Housing Element. Rate of growth is regulated by addressing the outcomes of growth, such as adequate infrastructure, services, and development is paying its own way. Development was cyclical.

No other public testimony was offered.

There was a general consensus that the minimum requirements for very low and low income housing be met in that Loma Linda has an affordable housing deficit; that there was potential for mixed use; however, there were limited revenue generating corridors; that the housing numbers would change based upon zoning and land use decisions.

**Motion by Brauer, seconded by Ziprick to accept the Housing Element in concept modified as follows: the SCAG numbers by implication were not acceptable; development to use clustering to achieve the permitted development yield if standards were met; all reference to development yield in the existing General Plan to be deleted until the City Council reviewed the Land Use Element; the housing tables to be submitted concurrent with the Planning Commission's recommendations as to Land Use; the analysis of existing building permits to be updated relating to the housing needs assessment; the Housing Affordability Table to be clarified in terms of mixed use versus high density versus medium density; Policies 2.3.2 and 2.3.3 to be modified to refer only to housing targeted to meet specific needs for low income, special needs housing, and upper end housing; the affect the Evans Street extension would have on housing, and there may be changes due to action relating to the Land Use Element.**

Mr. Zola stated that in relation to SCAG, the language could be modified to state that Loma Linda is not accepting the SCAG long-term growth projections, in that the City's Land Use Element defines its build out.

The City Council recessed and reconvened at 7:30 p.m. with all members present.

The public hearing relating to the Public Services and Facilities Element was opened. Mr. Zola stated that policies had been established relating to fire, police, schools, libraries, social services, parks, use of school grounds, water, wastewater as well as other services and facilities. The City Council was limited regarding schools; however, he suggested that the joint use of school and park facilities be reviewed and that agreements with the School District to allow joint use of the schools be considered in that school districts can utilize that tool to obtain funding and the City could increase its parks.

Councilman Brauer asked about the potential need for another fire station, particularly in the hill area because of the extended response time due to the distance of the current station from the area. Mr. Zola stated that in the Public Services and Facilities Element, a basic standard was established relating to response time. Based upon that standard, a need for a new fire station or stations could be defined in that as development became more remote from the current station, the need would be established.

Councilman Ziprick asked that language be included that would allow the City to acquire open space utilizing funds from the Parks and Open Space Fee. Mr. Zola stated that there is a standard for active park land and a standard for passive open space, particularly at the county level; he would review language for possible inclusion.

In response to questions concerning different fee structures for different parts of the City based upon proposed improvement for a particular area, City Attorney Holdaway stated that a study could be conducted to justify fees for a particular area in that improvements are constructed as part of a development, which may offset the need for a different fee structure; however, he would review that.

Glenn Elssmann, 11641 Poplar Street, commented that much of the open space and trail system was located in or near the South Hills, and it may be prudent to incorporate land north of the hills to connect the various segments of the Edison Easement as well as other areas to provide linkage to the trails in the South Hills.

Jonathan Zirkle, 24247 Barton Road, stated that, in his opinion, the Public Services and Facilities Element was inadequate, particularly relating to fire service due to the increase in population in the northeast segment of the community as well as the potential for the South Hills. He also stated that parks were inadequately addressed in that the responsibility should not be placed totally on developers.

Discussion ensued relating to parks and trails.

Councilman Brauer suggested that because some of Loma Linda's land that is designated for trails abuts similar areas in Redlands, the cities should work together to accomplish a plan that would benefit both cities. He would also like to see language that would preserve citrus and require developments to incorporate citrus where appropriate.

Jay Gallant, 26274 Cresthaven Court, expressed concern about fire and police protection and suggested that a schedule as to number of calls or services be included as a measure for adding a fire station and additional police.

Mr. Zola responded that language was included in the subject element that required an annual assessment of fire facilities pursuant to established response time standards, which then would trigger consideration of additional fire facilities; likewise for police services.

Mayor Hansberger stated that the City has the ability to handle the increase in call volume for a number of years with the current staffing level of the Fire Department. She also stated that she would like a community center included as a future goal. Councilman Ziprick asked that trails for all parts of the City also be included.

Director of Community Development Woldruff stated that the adoption of the General Plan would require updates of other plans and ordinances, including zoning and the Parks Master Plan. The General Plan was a policy document; its implementation would be identified in future documents.

**Motion by Brauer, seconded by Christman and unanimously carried to approve the Public Services and Facilities Element in concept.**

Due to the lateness of the hour, the Transportation and Circulation Element was continued.

The meeting adjourned at 9:05 p.m.

Approved at the meeting of

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City Clerk

City of Loma Linda

City Council Minutes

Regular Meeting of December 14, 2004

A regular meeting of the City Council was called to order by Mayor Hansberger at 6:20 p.m., Tuesday, December 14, 2004, in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Karen Gaio Hansberger Stan Brauer Robert Ziprick
Councilman Absent:	Mayor pro tempore Floyd Petersen Robert H. Christman
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

CC-2004-145 – Closed Session – Existing Litigation (Government Code Section 54956.9(a) Noel Christensen and Citizens Alliance of Loma Linda (“CALL”) vs. City and City Council, Case No. SCVSS 106980

The City Council immediately recessed to consider the closed session item as listed and reconvened at 7:03 p.m. with all members present except Mayor pro tempore Petersen and Councilman Christman. City Attorney Holdaway announced that the City Council met with Legal Counsel and gave direction. There was no final action to report.

Councilman Brauer led the invocation and Pledge of Allegiance. No conflicts of interest were noted.

CC-2004-146 – Items to be Added or Deleted

City Manager Halloway recommended that the workshop/public hearing relating to the General Plan Update pertaining to the Transportation and Circulation Element and the CMP Traffic Impact Analysis as well as the public hearing relating to an appeal of a Planning Commission decision relating to Zone Change 03-03, Tentative Map 16811 and PPD 04-07 be continued to January 11.

Oral Reports/Public Participation

Jonathan Zirkle, 24247 Barton Road, requested that all meetings, including workshops, be televised and that the Planning Commission meetings also be televised.

Scheduled and Related Items

CC-2004-147 – Proclamation – Unforgettables December to Remember 2004

Mayor Hansberger presented the proclamation noting that the Unforgettables organization provided financial assistance for funerals to families at a time of grieving the death of a child. The Unforgettables representative thanked the City Council and stated that the organization was founded five years ago. Since that time, 500 families were assisted, 300 of which were from Loma Linda. The December to Remember walk on New Year's Eve was a way the Unforgettables recognized all births and protection of all children.

CC-2004-148

CRA-2004-064 - Joint Public Hearing of the City Council and Redevelopment Agency pertaining to the sale of properties

- a. Council Bill #R-2004-55 – Authorizing a Housing Disposition Agreement between Lisa Guadan and the Agency
- b. CRA Bill #R-2004-24 – Approving a Housing Disposition Agreement between Lisa Guadan and the Agency regarding 25615 Prospect Avenue
- c. Council Bill #R-2004-56 – Authorizing a Housing Disposition Agreement between Lalith Sunil Egodahettia Rachigedon and Daya C. Anandagoda and the Agency regarding 25575 Prospect Avenue
- d. CRA Bill #R-2004-25 – Approving a Housing Disposition Agreement between Lalith Sunil Egodahettia Rachigedon and Daya C. Anandagoda and the Agency regarding 25575 Prospect Avenue

The public hearing was opened. Mayor Hansberger chaired the items. The City Clerk/Agency Secretary presented the reports into evidence, noting that both condominiums were subject to long-term affordability covenants; both buyers were income qualified; therefore, the sales prices were within the affordability guidelines and the long-term affordability covenants were protected. No other public testimony was offered and the public hearing was closed.

**Motion by Brauer, seconded by Ziprick and carried to adopt Council Bill #R-2004-55. Christman and Petersen absent.**

**Resolution No. 2363**

A Resolution of the City Council of the City of Loma Linda consenting to the approval by the Loma Linda Redevelopment Agency approving an Agreement for the disposition of property for affordable housing use with Lisa Guadan (25615 Prospect Avenue)

**Motion by Ziprick, seconded by Brauer and carried to adopt CRA Bill #R-2004-24. Christman and Petersen absent.**

**Resolution No. 231**

A Resolution of the Loma Linda Redevelopment Agency approving an Agreement for the disposition of property for affordable housing use with Lisa Guadan (25615 Prospect Avenue)

**Motion by Brauer, seconded by Ziprick and carried to adopt Council Bill #R-2004-56. Christman and Petersen absent.**

**Resolution No. 2364**

A Resolution of the City Council of the City of Loma Linda consenting to the approval by the Loma Linda Redevelopment Agency approving an Agreement for the disposition of property for affordable housing use with Lalith Sunil Egodahettia Hettiarachgedon and Daya C. Anandagoda (25574 Prospect Avenue)

**Motion by Ziprick, seconded by Brauer and carried to adopt CRA Bill #R-2004-25. Christman and Petersen absent.**

**Resolution No. 232**

A Resolution of the Loma Linda Redevelopment Agency approving an Agreement for the disposition of property for affordable housing use with Lalith Sunil Egodahettia Hettiarachgedon and Daya C. Anandagoda (25575 Prospect Avenue)

The City Council recessed at 7:15 p.m. to allow completion of the Agency Board agenda and reconvened at 7:32 p.m. with all members present.

CC-2004-149 – Public Hearing – Council Bill #O-2004-7 (First Reading/Set the Second Reading for January 11) Establishing speed limits on certain streets and amending Municipal Code Section 10.04.010

The public hearing was opened and Director of Public Works Thaipejr presented the report into evidence, stating that the traffic speed survey must be completed every five years pursuant to the California Vehicle Code. The speed limits were calculated utilizing the speed that 85 percent of the motorists traveled, with the speed limit then subject to adjustment based upon such factors as density of roadside development, roadway design, safe stopping sight distance, shoulder conditions, intersection spacing and offsets, pedestrian traffic, and collision record. The Traffic Advisory Committee reviewed the speed limit survey and recommended modifications included in the proposed ordinance.

In response to questions, Mr. Thaipejr stated that to enforce speed limits with radar, the 85<sup>th</sup> speed percentile was required to be used. Radar enforcement was only permitted on surveyed streets. Discussion ensued relating to speed on Lawton Avenue. Mr. Thaipejr indicated that he would review the survey for Huron Street and submit a recommendation if modification was appropriate. No other public testimony was offered and the public hearing was closed.

**Motion by Brauer, seconded by Ziprick and carried to introduce Council Bill #O-2004-7 on First Reading and set the Second Reading for January 11 with the understanding that the speed limit for Huron Street would be reviewed. Christman and Petersen absent.**

CC-2004-150 – Public Hearing – Council Bill #O-2004-10 (First Reading/Set the Second Reading for January 11) – Amending Section EV3.0715(d) of the East Valley Corridor Specific Plan to prohibit used car sales not in connection with new car sales except within the Loma Linda Auto Center

The public hearing was opened and Director of Community Development Woldruff presented the report into evidence, stating that the text amendment was City initiated to allow the sale of used cars without the requirement of new car sales for the Auto Center only. She elaborated that currently there was a vacant dealership and a potential user that sold upscale pre-owned cars. She also explained that upon adoption of the General Plan, the East Valley Corridor Specific Plan was expected to be repealed.

No other public testimony was offered, and the public hearing was closed.

**Motion by Ziprick, seconded by Brauer and carried to introduce Council Bill #O-2004-10 on First Reading and to set the Second Reading for January 11. Christman and Petersen absent.**

CC-2004-151 – Workshop/Public Hearing (Continued from December 7) General Plan Update Project Transportation and Circulation Element; CMP Traffic Impact Analysis (TIA)

Mayor Hansberger opened the public hearing and stated that it was the decision of the City Council to not consider the General Plan with fewer than four members present. She then asked anyone who could not attend a future meeting to present their comments. No public testimony was offered.

**Motion by Brauer, seconded by Ziprick and carried to continue the workshop/public hearing. Christman and Petersen absent.**

Community Development Director Woldruff stated that the General Plan was continued to January 11 for a joint public hearing with the Planning Commission relating to the South Hills. The Transportation and Circulation Element, CMP and TIA would be continued to February.

CC-2004-152 – Public Hearing – Appeal of Planning Commission decision relating to Zone Change 03-03, Tentative Map 16811, and PPD 04-07 at the southwest corner of New Jersey Street at Orange Avenue

The public hearing was opened, and Director of Community Development Woldruff requested continuance of the public hearing, noting that the applicant concurred. No other public testimony was offered.

**Motion by Brauer, seconded by Ziprick and carried to continue the public hearing to January 11. Christman and Petersen absent.**

CC-2004-153 – Consent Calendar

**Motion by Ziprick, seconded by Brauer and carried to approve the following items. Christman and Petersen absent.**

The Demands Register dated November 23, 2004 with commercial demands totaling \$707,226.13 and payroll demands totaling \$186,700.64.

The Demands Register dated November 22, 2004 with commercial demands totaling \$10,857.28.

The Demands Register dated November 30, 2004 with commercial demands totaling \$71,621.25.

The Demands Register dated December 14, 2004 with commercial demands totaling \$1,502,553.60 and payroll demands totaling \$180,311.44.

The November 2004 Treasurer's Report for filing.

The November 2004 Department of Public Safety Stats Report for filing.

Award of contract to Avila Paving, Inc. in the amount of \$68,976 for asphalt paving of the employee parking lot and equipment storage area at the Corporation Yard.

Contract Change Order to Bonadiman McCain in the amount of \$43,400 for services related to the relocation of the Bailey Bridge.

Council Bill #R-2004-54.

**Resolution No. 2365**

A Resolution of the City Council of the City of Loma Linda, consenting to a joint public hearing with the Redevelopment Agency of the City of Loma Linda on the proposed Redevelopment Plan Amendment

Declaration of certain vehicles, apparatus, radio equipment, and miscellaneous items surplus and authorizing disposal.

Street names for Tentative Tract Map 16650 at the southwest corner of George Street and Bryn Mawr Avenue.

CC-2004-154 – Council Bill #R-2004-57 – Designation of the Loma Linda Fire Station as a “Safe Haven” for the surrender of newborns

Director of Public Safety Crawford responded to questions, stating that if staff was out on a call, a 911 telephone was available and the Emergency Communication Center would provide direction as to what unit would return to receive the infant; notification, training, and response systems relating to the surrender of newborns was handled regionally so that all fire stations within a region operated under a uniform procedure.

**Motion by Ziprick, seconded by Brauer and carried to adopt Council Bill #R-2004-57. Christman and Petersen absent.**

**Resolution No. 2366**

A Resolution of the City of Loma Linda designating the Loma Linda Fire Station as a “Safe Haven” for the surrender of newborns

**Old Business**

CC-2004-155 – Council Bill #O-2004-9 (Second Reading/Roll Call) – Zone Change 03-03 to amend the Zoning Map from Agricultural (A-1) to Single-Family Residence (R-1) for 9.1 acres at the southeast corner of Bryn Mawr Avenue and George Street

**Motion by Brauer, seconded by Ziprick and carried to waive reading of Council Bill #O-2004-9 in its entirety; direct the Clerk to read by title only, and adopt on roll call vote.**

The Clerk read the title and called the roll with the following results:

Ayes:	Hansberger, Brauer, Ziprick
Noes:	None
Abstain:	None
Absent:	Christman, Petersen

**Ordinance No. 630**

An Ordinance of the City Council of the City of Loma Linda amending the Official Zoning Map of the City of Loma Linda from Agriculture (A-1) to Single Family Residential (R-1) for that area on the southeast corner of Bryn Mawr Avenue at George Street (Zone Change 03-03)

**New Business**

CC-2004-156 – Requests for City services for property located within the City’s Sphere of Influence, but outside of the incorporated City boundaries and approval of Pre-Annexation Agreements

- Water and Sewer Service for AP#0293-032-01-0-000, 26325 First Street, Bryn Mawr, Danny O’Neal applicant
- Water Service for AP#0293-120-10-0-000, 26699 Beaumont Avenue, Glenn & Heidi Elssmann applicants.



Motion by Ziprick, seconded by Brauer and carried to approve the request of Danny O'Neal for City water and sewer service, subject to the payment of certain fees, the signing and recording of an irrevocable agreement to annex to the City at the earliest possible time, and determination by the Local Agency Formation Commission (LAFC) relating to the City providing the requested services. Christman and Petersen absent.

Motion by Ziprick, seconded by Brauer and carried to approve the request of Glenn and Heidi Elssmann for City water service, subject to the payment of certain fees, the signing and recording of an irrevocable agreement to annex to the City at the earliest possible time, and determination by the Local Agency Formation Commission (LAFC) relating to the City providing the requested service. Christman and Petersen absent.

#### Reports of Officers

Director of Community Development Woldruff stated that Senior Planner Lori Lamson had accepted a position with the Town of Apple Valley as Principal Planner, effective December 15, noting that she was an asset to the City and implemented procedures within the Community Development Department that streamlined procedures.

Mayor Hansberger, on behalf of the City Council, expressed appreciation for Mrs. Lamson's service and wished her well in her career and future endeavors.

The meeting adjourned at 8:00 p.m.

Approved at the meeting of

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City Clerk